

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EXPERIENCE HENDRIX, L.L.C., et al.,

Plaintiffs,

vs.

HENDRIXLICENSING.COM, LTD, et al.,

Defendants.

No. C09-285Z

PERMANENT INJUNCTION

IT IS ORDERED, ADJUDGED, AND DECREED as follows:

1. Defendants are forever permanently enjoined from:

(i) Using any domain name incorporating the mark HENDRIX in connection with the advertising and/or sale of posters, artwork, fine art prints, apparel, merchandise, memorabilia, and/or novelty items containing images of or by Jimi Hendrix or otherwise relating to Jimi Hendrix;

(ii) Using any business name incorporating the mark HENDRIX in connection with the advertising and/or sale of posters, artwork, fine art prints, apparel, merchandise, memorabilia, and/or novelty items containing images of or by Jimi Hendrix or otherwise relating to Jimi Hendrix;

(iii) Using the following “guitar and headshot” logo or any similar mark, brand, or logo, in connection with the advertising and/or sale of posters, artwork, fine art prints, apparel, merchandise, memorabilia, and/or novelty items;



(iv) Using the following Jimi Hendrix signature or any similar signature, mark, brand, or logo in connection with the advertising and/or sale of posters, artwork, fine art prints, apparel, merchandise, memorabilia, and/or novelty items;



(v) Registering or applying to register as trademarks or service marks the domain names or business names described above, the “guitar and headshot” logo described above, the Jimi Hendrix signature described above, and/or any similar mark, brand, or logo (collectively, the “Infringing Marks”); and

(vi) Using the Infringing Marks in connection with the provision of any online services associated with the advertising and/or sale of posters, artwork, fine art prints, apparel, merchandise, memorabilia, and/or novelty items containing images of or by Jimi Hendrix or otherwise relating to Jimi Hendrix.

1 2. Within ten (10) days after entry of this Permanent Injunction, Defendants shall
2 withdraw from the stream of commerce all advertising materials and products, and all product
3 packaging and labels, containing, using, or displaying the Infringing Marks.

4 3. Within ten (10) days after entry of this Permanent Injunction, Defendants shall
5 transmit a copy of this Permanent Injunction to their affiliates, officers, agents, servants,
6 employees, attorneys, distributors, and licensees, and to all other persons in active concert or
7 participation with Defendants, and to any individuals or entities who Defendants know are in
8 possession of advertising materials and/or products, product packaging, or labels intended to be
9 sold or distributed either wholesale or retail that contain the Infringing Marks, and to each
10 person who has acquired or licensed from Defendants any products, product packaging, labels,
11 or advertising materials bearing the Infringing Marks. Defendants shall direct all such persons
12 to comply with the terms of this Permanent Injunction and shall demand that each such
13 distributor, seller, retailer, agent, customer, licensee, and person immediately withdraw the
14 infringing products from the market and cease all related advertising and marketing.
15 Defendants shall make the financial arrangements necessary to secure the return to them or
16 destruction of such advertising materials and/or products, product packaging, or labels.

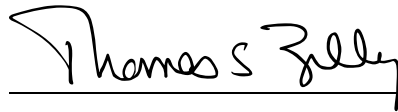
17 4. Defendants are directed to file with this Court and serve on Plaintiffs within thirty
18 (30) days after entry of this Permanent Injunction a report in writing, under oath, setting forth in
19 detail the manner and form in which Defendants have complied with this Permanent Injunction.

20 5. Nothing in this Permanent Injunction shall be construed as enjoining, prohibiting, or
21 otherwise inhibiting Defendants or any other entity or person from creating, reproducing,
22 advertising, distributing, selling, or otherwise commercially trading in images or likenesses of
23 Jimi Hendrix. The Court makes no ruling concerning whether any such images or likenesses

1 might be otherwise protected by copyright laws. In addition, nothing in this Permanent
2 Injunction shall be construed as enjoining, prohibiting, or otherwise inhibiting Defendants or
3 any other entity or person from using the names or marks “Jimi Hendrix” or “Hendrix” to
4 identify the subject of an associated image or the author or creator of an associated work of art.

5 IT IS SO ORDERED.

6 DATED and ENTERED this 21st day of September, 2011.

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9 Thomas S. Zilly
10 United States District Judge
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